REMARKS

The application included claims 1-8, 10, 12, 15, and 17 prior to entering this amendment. The Examiner rejected claims 1-3, 10, and 15 under 35 U.S.C. § 112, first paragraph. The Examiner rejected claims 1-5, 10, 12, 15, and 17 under 35 U.S.C. § 112, second paragraph. The Examiner rejected claims 1-8, 10, 12, 15, and 17 under 35 U.S.C. § 103(a) over Canfield (U.S. Patent 5,754,653) and Josephson (U.S. Patent Application Publication No. 2003/0213841). Applicant amends claims 1-4, 6, 10, and 15, and adds claims 20-24. Claims 1-8, 10, 12, 15, 17, and 20-24 remain in the application after entering this amendment. Applicant does not add new matter and requests reconsideration.

Claim Rejections - 35 U.S.C. § 112

The Examiner rejected claims 1-3, 10, and 15 under 35 U.S.C. § 112, first paragraph. Applicant has amended the claims as suggested by the Examiner, thus obviating the rejection. More particularly, the Applicant has amended claim 1 to recite *storing the identifying information into a financial instrument database on a memory device*, claim 3 to recite *a financial instrument database stored on a memory device*, claim 10 to recite *means for storing in a memory device identifying information relating to handwritten portions of a first personal check in a database*, and claim 15 to recite *storing, in a memory device, identifying information relating to handwritten portions of a check in a database, wherein the identifying information is specified by a payor of the check, and wherein the identifying information is provided to the database by the payor over a network.*

The Examiner rejected claims 1-5, 10, 12, 15, and 17 under 35 U.S.C. § 112, second paragraph. Applicant has amended the claims as suggested by the Examiner, thus obviating the rejection.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claims 1-8, 10, 12, 15, and 17 under 35 U.S.C. § 103(a) over Canfield in view of Josephson. Applicant respectfully traverses the Examiner's rejections.

Claim 1 recites *receiving, directly from a payor, identifying information concerning the check over a network, wherein the identifying information concerning the check is specified by the payor.*

The Examiner alleges Canfield's account holder discloses the recited payor, and that Canfield's verification code discloses the recited identifying information. Applicant has amended claim 1 to clarify the recited identifying information concerning the check, particularly, that *the identifying information concerning the check is specified by the payor*. The specification provides support for the recited language at various portions, e.g., figure 4 and paragraph [0022].

Canfield does not teach or suggest this claim feature, as Canfield discloses a bank or credit card issuer assigning the verification code to the account.[1] In other words, Canfield fails to disclose any information concerning a check that *is specified by the payor*. Nothing in Josephson cures this deficiency, as Josephson discloses a traveler check provider receiving and scanning identification materials, such as a passport or driver's license, from a payee in-person and then printing traveler checks for the payee.[2] Not only does Josephson fail to receive the recited identifying information from the recited payor over a network, Josephson further does not teach or suggest *identifying information concerning the check is specified by the payor* as the claim recites.

The Examiner further argues that Canfield discloses the recited claim features when its account holder <u>indirectly</u> provides the verification code to a paying bank in a check filled out by the account holder that is presented by a payee for payment at the paying bank. Applicant has amended claim 1 to recite *receiving, directly from a payor, identifying information concerning the check over a network*. Canfield does not teach or suggest receiving a verification code <u>directly</u> from the account holder, much less *over a network* as the claim recites.

Since the combination of Canfield and Josephson fails to teach or suggest several claim features of claim 1, Applicant requests that the Examiner withdraw the rejection of independent claim 1 and its corresponding dependent claims. Independent claims 3, 6, 10 and 15 recite claim features that are generally similar to those presented in claim 1, and therefore they, and their corresponding dependent claims, are allowable at least for similar reasons.

---

[1] See, Canfield, col. 3, lines 40-43, where the use of the verification code by the account holder indicates to the back or credit card issuer that the check was written by an authorized account holder.
[2] See, Josephson, paragraphs [0031] – [0035], and [0038].

New Claims

Applicant adds claims 20-24, which depend from independent claims 1, 3, 6, 10, and 15, respectively. Support for these newly added claim features is provided in the specification as originally filed.

CONCLUSION

For the foregoing reasons, the Applicant requests reconsideration and allowance of the presented claims. Applicant encourages the Examiner to telephone the undersigned if it appears that an interview would be helpful in advancing the case.

Customer No. 73552

Respectfully submitted,

STOLOWITZ FORD COWGER LLP

Graciela G. Cowger
Reg. No. 42,444

STOLOWITZ FORD COWGER LLP
621 SW Morrison Street, Suite 600
Portland, OR 97205
(503) 224-2170